REMARKS

Claims 24-33, 47 and 56-68 remain pending in the application.

Claims 24-29, 31, 47 and 56-68 over Matsuda in view of Olkin and Renouard

In the Office Action, claims 24-29, 31, 47 and 56-68 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent Application Publication No. 2002/0133573 to Matsuda et al. ("Matsuda") in view of U.S. Patent No. 6,310,892 to Olkin ("Olkin"), and in further view of U.S. Patent No. 6,161,123 to Renouard et al. ("Renouard"). The Applicants respectfully traverse the rejection.

Claims 24-29, 31, 47 and 56-68 are amended herein to recite, *inter alia*, a transport layer of a connectionless transport protocol that provides for networking services comprising message duplication detection, the message duplication being **acknowledged using a peer wireless protocol layer** to facilitate **discard** of the duplicate message.

The Examiner relied on Renouard to allegedly teach a wireless protocol layer. (see Office Action, page 5) However, Renouard fails to teach that his **wireless** protocol acknowledges message **duplication**, much less to facilitate **discard** of the duplicate message, as claimed.

The Examiner is pulling apart the claimed features without consideration of the interdependent context of the claimed features. For example, the claims recite message duplication that is acknowledged using a peer **wireless** protocol layer. Neither Matsuda, Olkin nor Renouard, teach a **wireless** protocol that acknowledges message **duplication**, much less to facilitate **discard** of the duplicate message, as claimed.

Moreover, modifying Matsuda with the teaching of Renouard would still fail to teach the claimed features. Matsuda's teaches a **wired** protocol that provides for message duplication detection. (see paragraph [0034]'s teaching of TCP/IP; Fig. 1) Matsuda modified with Renouard's teaching of a **wireless** protocol that **lacks** message duplication detection capability still **fails** to teach a **wireless** protocol that acknowledges message **duplication**, much less to facilitate **discard** of the duplicate message, as claimed.

Moreover, Matsuda's communications rely on **wired** communications (see Fig. 1), with his **wired** communications being used to facilitate communications within a dynamically configurable network architecture. (see Abstract) Renouard relies on UDP protocol which is an **unreliable** data transfer connectionless protocol that **ALLOWS** for **dropped packets**. (see col. 2, lines 12-22) Modifying Matsuda with Renouard's **unreliable** data transfer connectionless protocol that **ALLOWS** for **dropped packets** would **disable** packet delivery **assurances** that Matsuda relies on to establish his dynamically configurable network architecture and would therefore destroy the invention of Matsuda. Matsuda cannot establish a dynamically configurable network architecture if the packets establishing such a dynamically configurable network architecture are **never** received, which Renouard **accepts**. See Ex parte Hartman, 186 U.S.P.Q. 336, 337 (P.T.O.B.O.A. 1974) (reversing rejection when modification would destroy basis for invention in one or two references). Therefore, the rejection should be **withdrawn**.

Matsuda, Olkin, and Renouard, either alone or in combination, fail to disclose, teach, or suggest a transport layer of a connectionless transport protocol that provides for networking services comprising message duplication detection, the message duplication **acknowledged using a peer wireless protocol layer** to facilitate **discard** of the duplicate message, as recited by claims 24-29, 31, 47 and 56-68.

Accordingly, for at least all the above reasons, claims 24-29, 31, 47 and 56-68 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 30, 32 and 33 over Matsuda in view of Olkin, Renouard and Bell

In the Office Action, claims 30, 32 and 33 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Matsuda in view of Olkin and Renouard, and further in view of U.S. Patent No. 6,044,081 to Bell et al. ("Bell"). The Applicants respectfully traverse the rejection.

Claims 30, 32 and 33 are dependent on claim 24, and are allowable for at least the same reasons as claim 24.

Claims 30, 32 and 33 recite, *inter alia*, a transport layer of a connectionless transport protocol that provides for networking services comprising message duplication detection, the message duplication **acknowledged using a peer wireless protocol layer** to facilitate **discard** of the duplicate message. As discussed above, Matsuda, Olkin and Renouard, either alone or in combination, fail to disclose, teach or suggest such features.
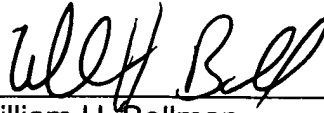
Bell is relied on to allegedly disclose if a new message sequence number is received before the necessary last segment of the previous message, to abort processing and return an error; and encapsulating a communication layer (see Office Action, page 9). Thus, even considering Bell's alleged disclosure, Matsuda, Olkin, Renouard and Bell, either alone or in combination, fail to disclose, teach or suggest a transport layer of a connectionless transport protocol that provides for networking services comprising message duplication detection, the message duplication **acknowledged using a peer wireless protocol layer** to facilitate **discard** of the duplicate message, as recited by claims 30, 32 and 33.

Accordingly, for at least all the above reasons, claims 30, 32 and 33 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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